

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARRETT RYAN BOTELLO,

Defendant.

Case No. CR21-165 RSM

DETENTION ORDER

Mr. Botello is charged in a three-count indictment: Count 1: Possession of controlled substances with intent to distribute; 18 U.S.C. §§ 841(a)(1) and 841(b)(1)(b); Count 2: Possessing contraband in prison; 18 U.S.C. §§ 1791(a)(2) and (b)(1); and Count 3: Attempted possession of contraband in prison; 18 U.S.C. §§ 1791(a)(2) and (b)(1). The Court held a detention hearing on October 20, 2021, pursuant to 18 U.S.C. § 3142(f), and based upon the reasons for detention stated on the record and as hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. There is therefore a rebuttable presumption of detention pursuant to 18 U.S.C. § 3142(e).
2. Mr. Botello stipulated to detention.

- 1 3. Mr. Botello poses a risk of nonappearance due to criminal activity, multiple
2 warrants, noncompliance while under supervision, use of an alias, and two social
3 security numbers. Mr. Botello poses a risk of danger due to the nature of the offense,
4 a pattern of similar criminal activity while under supervision, substance abuse
5 history, mental health history, and safety concerns for the community. Based on
6 these findings, and for the reasons stated on the record, there does not appear to be
7 any condition or combination of conditions that will reasonably assure Mr.
8 Botello's appearance at future court hearings while addressing the danger to other
9 persons or the community.
- 10 4. Taken as a whole, the record does not effectively rebut the presumption that no
11 condition or combination of conditions will reasonably assure the appearance of
12 Mr. Botello as required and the safety of the community.

13 IT IS THEREFORE ORDERED:

- 14 (1) Mr. Botello shall be detained pending trial, and committed to the custody of the
15 Attorney General for confinement in a correction facility separate, to the extent
16 practicable, from persons awaiting or serving sentences or being held in custody
17 pending appeal;
- 18 (2) Mr. Botello shall be afforded reasonable opportunity for private consultation with
19 counsel;
- 20 (3) On order of a court of the United States or on request of an attorney for the
21 government, the person in charge of the corrections facility in which Mr. Botello
22 is confined shall deliver the defendant to a United States Marshal for the purpose
23 of an appearance in connection with a court proceeding; and

1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
2 counsel for Mr. Botello, to the United States Marshal, and to the United States
3 Pretrial Services Officer.

4 Dated this 20th day of October, 2021.

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7 MICHELLE L. PETERSON
8 United States Magistrate Judge
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